

04/27/04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/695,584	10/27/2003	Yiqing Feng	126181-1058

Gardere Wynne Sewell LLP  
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CONFIRMATION NO. 4627  
**FORMALITIES LETTER**  
  
 \*OC000000011961726\*

Date Mailed: 02/25/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
 DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
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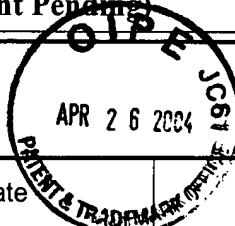
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
126181-1058

In Re Application Of: Feng, et al.



Serial No.  
10/695,584

Filing Date  
October 27, 2003

Examiner  
Unknown

Group Art Unit  
Unknown

Title:

**MULTI-FUNCTIONAL HEMATOPOIETIC FUSION PROTEINS BETWEEN SEQUENCE REARRANGED  
G-CSF RECEPTOR AGONISTS AND OTHER HEMATOPOIETIC FACTORS**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

1. Response to Notice to Comply with Sequence Listing;
2. Statement Under 37, C.F.R. 1.821(f);
3. Paper Copy of Sequence Listing;
4. Electronic Copy of Sequence Listing on CD;
5. Copy of Notice to Comply; and                   6. Acknowledgment Postcard.

in the above identified application.

No additional fee is required.

A check in the amount of \_\_\_\_\_ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 07-1053 as described below. A duplicate copy of this sheet is enclosed.

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Carol M. Nielsen  
Signature

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Dated: April 26, 2004

I certify that this correspondence is being deposited with the U.S. Postal Service Express Mail delivery service under 37 C.F.R. 1.10 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

William Asher  
Signature

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CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application Of:  
Feng, et al.

Examiner: Unknown

Serial No.: 10/695,584

Filed: October 27, 2003

For: MULTI-FUNCTIONAL HEMAPOIETIC  
FUSION PROTEINS BETWEEN  
SEQUENCE REARRANGED G-CSF  
RECEPTOR AGONISTS AND OTHER  
HEMATOPOIETIC FACTORS

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**CERTIFICATE OF MAILING**

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*William Asher*  
*Signature of Person Mailing Correspondence*

*William Asher*  
*Typed or Printed Name of Person Mailing Correspondence*

*EV 169246010 US*

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**RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE LISTING**

This is in response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed on February 25, 2004. The Examiner has indicated that the content of the computer readable form that has been filed with the application does not comply with the requirements of 37 CFR 1.822 and/or 1.823, and that a corrected sequence listing must be submitted as required by 37 C.F.R. 1.825(d).

**REMARKS**

Pursuant to the requirements of 37 C.F.R. 1.825(d), a substitute computer readable form (CRF) copy of the "Sequence Listing," a substitute paper copy of the "Sequence Listing," and a statement that the content of the paper and computer copies are the same are submitted herewith.

The errors noted in the Notice to Comply have been corrected in the substitute sequence listing. The FEATURE at position 120 of SEQ ID NO:1 has been deleted to be consistent with

the defined amino acid (Gln) at position 120 in the amino acid sequence. In SEQ ID NO:1 the typographic error ‘position146’ has been corrected to ‘position 146’. At position 124, ‘Xaa’ has been deleted and replaced with the native amino acid, leucine (Leu), of G-CSF at position 124 in SEQ ID No: 1 (G-CSF variant sequence). In the priority application, U.S. Pat. App. Ser. No. 08/835,162, now issued US Pat. No. 6,066,318, human G-CSF is cited as being disclosed in US 4,810,643, which is incorporated by reference. Figure 2 of US 4,810,643 shows the amino acid sequence of human G-CSF wherein the amino acid at position 124 is leucine. No new matter is added as a result of this submission.

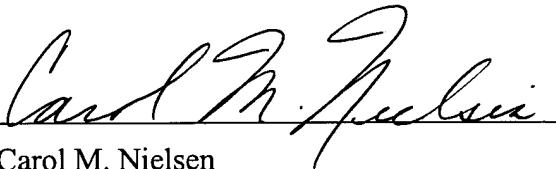
### CONCLUSION

The present paper constitutes a complete response to the Office Communication mailed February 25, 2004. Applicant respectfully requests reconsideration of the application in light of the substitutions. Applicant requests that this case be allowed and pass to issuance.

No fees are due at this time. However, Applicant hereby authorizes the Commissioner to charge any fee in connection with the filing of this paper to Deposit Account 07-0153.

Respectfully submitted,

Date: April 26, 2004

By:   
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